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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LESLIE KALYN, aka
Leslie Feth,

Defendant.

Case No. 2:18-cr-00169-JCM-NJK-3

**STIPULATION TO CONTINUE
CHANGE OF PLEA HEARING (FIRST
REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by and through Nicholas A. Trutanich, United States Attorney, and Peter S. Levitt, Assistant United States Attorney, Defendant, Leslie Kalyn, by and through her attorneys, Peter S. Christiansen and Kendelea L. Works, that the Change of Plea hearing currently scheduled for June 12, 2020 be continued to a date and time convenient to the Court, but no earlier than July 1, 2020.

Pursuant to General Order No. 2007-04, this Stipulation is entered into for the following reasons:

1. Due to the COVID-19 outbreak and stay at home orders in the State of Nevada, Defense Counsel's law firm attorneys and staff have been working remotely since mid-March 2020 and are only recently integrating back into the office.

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1 2. Additionally, Defense counsel has scheduling conflicts with depositions and trial
2 preparation for a multi-week bench trial set to begin in state court in July 2020,
3 as well as travel outside of Nevada during June 2020.

4 2. AUSA Peter S. Levitt has no objection the requested continuance.

5 3. Defendant Leslie Kalyn is presently out of custody and has no objection to the
6 requested continuance.

7 4. The additional time requested herein is not sought for purposes of delay.

8 5. Denial of this request for continuance would deny counsel for Defendant Leslie
9 Kalyn sufficient time to effectively and thoroughly prepare her for the change of plea hearing
10 and sufficiently review and explain the consequences of the subject guilty plea agreement,
11 taking into account the exercise of due diligence.

12 6. Additionally, denial of this request for continuance could result in a miscarriage
13 of justice.

14 7. The additional time requested by this Stipulation is excludable in computing the
15 time within the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
16 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code
17 §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

18 This is the first stipulation to continue the change of plea hearing in this matter.

19 DATED: June 8, 2020.

20 CHRISTIANSEN LAW OFFICES

UNITED STATES ATTORNEY

21 /s/ Peter S. Christiansen
22 By _____
23 PETER S. CHRISTIANSEN
24 KENDELEE L. WORKS
Counsel for Leslie Kalyn

21 /s/ Peter S. Levitt
22 By _____
23 PETER S. LEVITT
24 Assistant United States Attorney

UNITED STATES DISTRICT COURT

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UNITED STATES OF AMERICA,

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**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel's conflicting trial schedule, including a capital murder case, and illness of supporting associates have precluded defense counsel from dedicating sufficient time in preparation for pretrial motions in this matter.

2. Defense counsel has spoken to AUSA Nadia Ahmed and she is in agreement with the requested continuance.

3. Defendant Leslie Kalyn is presently out of custody and has no objection to the requested continuance.

4. The additional time requested herein is not sought for purposes of delay.

5. Denial of this request for continuance would deny counsel for Defendant Leslie Kalyn sufficient time to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

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7. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the interests of the public and the defense in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A) when the considering facts under Title 18, United States Code, §§ 3161(h)(7)(B) and 3161 (h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the Change of Plea hearing currently scheduled for June 12, 2020 be vacated and continued to the 2nd day of July, 2020, at the hour of 10:30 am.

DATED June 11, 2020.


UNITED STATES DISTRICT JUDGE